

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 3586 – SB 3527

March 16, 2010

SUMMARY OF AMENDMENT (015377): Deletes all language after the enacting clause. Authorizes a judge of a court of general sessions or juvenile court who finds it necessary to be absent from court, to seek a special judge in the following sequence: by interchange; any former or retired judge; application to the Administrative Office of the Courts (AOC) for assistance in finding a judge to sit by designation of the chief justice; or a lawyer from a list, on a rotating basis, of lawyers previously approved who are constitutionally qualified, in good standing, and possess sufficient experience and expertise. Requires, in the event of an appointment of a lawyer as a special judge, an entry in the minutes or other permanent record of the court to reflect that the parties involved were notified that a practicing lawyer will serve as special judge, that the parties chose to proceed or continue with the case, and that an announcement was made to persons in attendance. Requires the circumstances requiring the appointment of a special judge to be entered in the permanent records of the court in the event that a general sessions or juvenile judge must be absent from court due to a sudden or unexpected emergency.

FISCAL IMPACT OF ORIGINAL BILL:

Increase Local Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions applied to amendment:

- According to the AOC, the proposed changes to the special judge appointment process are not applicable to state trial and appellate courts and will have no fiscal impact on the AOC.

- Any impact to general sessions or juvenile courts can be accommodated within existing local judicial resources.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/lsc